IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:- 17.06.2006

Coram:-

The Hon'ble Mr. Justice P.SATHASIVAM
and
The Hon'ble Mr. Justice V.DHANAPALAN

Writ Appeal No.104 of 2003

R.Paramaguru ... Appellant/Petitioner

Vs.

1. The Principal,
   Central Law College,
   Yercaud Main Road,
   Salem-636 008.

2. The Registrar,
   University of Madras,
   Madras. .. Respondents/Respondents

Writ appeal filed under Clause 15 of the Letters Patent against the order dated 07.11.2002 made in W.P.No.18286 of 2002.

For Appellant : Mr.AR.L.Sundaresan,S.C., for Mrs.AL.Gandhimathi

For 1st Respondent : No appearance

For 2nd respondents : Mr.A.V.Ilango

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JUDGMENT

(Judgment of the Court was delivered by P.SATHASIVAM, J.)

The above writ appeal has been filed against the order of the learned single Judge dated 07.11.2002 made in W.P.No.18286 of 1999, in and by which, the learned single Judge has accepted the stand taken by the University and refused to condone the attendance as it is beyond 66%.

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2. Heard the learned Senior counsel for the appellant as well as the respondents.

3. Aggrieved by the letter dated 08.06.1999 of the University of Madras, the appellant/writ petitioner has filed W.P.No.18286 of 1999 for quashing the same and for the consequential direction to declare that he is eligible for condonation of delay in shortage of attendance.

4. The learned single Judge, based on the amended Rule of the University, which requires minimum attendance of 66% and there is no provision for exemption, applying relevant provision, declined to grant the relief as claimed by the petitioner. It is brought to our notice that the University has amended the Rule on 11.03.1994 prescribing the minimum attendance being 66% and the same was communicated to the College concerned on 15.04.1994. It is also brought to our notice that the writ petitioner has joined the first respondent-College in 1994 i.e. after amending the Rule by the University. In such circumstances, he is not entitled to claim the minimum required attendance of 50%, which was prior to the amendment. All these aspects were duly considered by the learned single Judge while dismissing the writ petition. We are in agreement with the said conclusion.

5. We do not find any ground for interference. Accordingly, the writ appeal fails and the same is dismissed. No costs. As permitted by the learned single Judge, the appellant is permitted to attend afresh one more year and thereafter appear for the examination by satisfying minimum attendance of 66%.

raa

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

To

1. The Principal, Central Law College,
   Yercaud Main Road,Salem-636 008.

2.The Registrar,University of Madras,Madras.

+ one cc to M/S.AL.Ganthimathi, Advocate Sr.No.25354.

MAB (CO)
RSM/22.6.2006

W.A.No.104 of 2003

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